

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:21-cv-00315-MR**

CALVIN JEROME WOMIC, JR.,)
)
 Plaintiff,)
)
vs.) **ORDER**
)
)
 FRANCISCO CORTEZ,)
)
 Defendant.)
_____)

THIS MATTER is before the Court on the Plaintiff's uncaptioned motion [Doc. 64], which the Court construes as a motion to enforce settlement.

Plaintiff Calvin Jerome Womic, Jr., ("Plaintiff"), proceeding *pro se*, filed this action under 42 U.S.C. § 1983 on July 1, 2021. [Doc. 1]. On January 23, 2023, the Court granted in part and denied in part Defendant's motion for summary judgment. [Doc. 51]. On April 6, 2023, the parties reached a settlement at a judicial settlement conference conducted by the Honorable W. Carleton Metcalf. [4/6/2023 Oral Order]. On May 7, 2023, defense counsel filed a Stipulation of Dismissal signed by the Plaintiff. [Doc. 63].

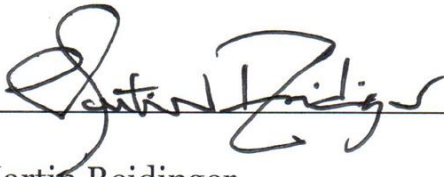
Plaintiff now moves for assistance in enforcing the settlement agreement. [Doc. 64]. Plaintiff states that the parties reached a monetary settlement and that Defendant agreed to deposit a sum certain in Plaintiff's prisoner trust account by May 8, 2023 and that "Legal Counsel Has Failed to apply & stick to Agreements That Was agreed upon in Front of the Honorable W. Carleton Metcalf to deposit's Funds." [Id.].

The Court will hold Plaintiff's motion in abeyance and order Defendant to provide the Court with an update on the status of the execution of the terms of the parties' settlement agreement.

IT IS, THEREFORE, ORDERED that Defendant and his counsel shall respond within seven (7) days of this Order advising the Court of the status of the execution of the terms of the parties' settlement agreement. If any terms have not yet been executed, Defendant shall explain why not and advise the Court when such term(s) will be executed.

IT IS SO ORDERED.

Signed: June 13, 2023



Martin Reidinger
Chief United States District Judge

